

**Naples Planning and Land Use  
Regular Meeting  
August 19 2014**

**Commission Present:** Dale Harrison, Cresta Slaugh, Neil Cathey, Szeth Simmons and Andrew Bentley

**Commission Absent:** Mark Patridge, Kerry Kinney, Bret Stringham,

**Others Present:** Craig Blunt, Connie Patton, Joe Brasfield, Clint B, Cutis Abrahan, Kelli Paquette, Matt Paquette, Mark Raymond, Gordon Kitchen, Misty Critton, Kate Pedersen, Carlyle Rollins, Loren W. Anderson, Jeremy Gilb, Kelly Harvey, Justin Marchant, Dave Thrasher, Billie Dawn Johnson, Keith Muir, Annalee Jonson, Kelly Joseph, Rodney Anderson, Lesha Coltharp, Chris Clark, Emily Clark, Stan Johnson, Amanda Kitchen.

**Verification of full Quorum** Dale Harrison verified a full Quorum.

**Approval of Agenda** Szeth Simmons motioned to approve the agenda, Andrew Bentley seconded the motion.

Roll Call Taken:

<b>Neil Cathey</b>	<b>Aye</b>
<b>Szeth Simmons</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

The motion passed with all voting Aye.

**Disclosures** None

**Approval of Minutes** Neil Cathey motioned to approve the minutes for July 15, 2014. Szeth Simmons seconds the motion.

Roll Call Taken:

<b>Neil Cathey</b>	<b>Aye</b>
<b>Szeth Simmons</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

The motion passed with all voting Aye.  
Cresta Slaugh arrived

**Administrative Updates**

**General Business**

Preliminary review of the Homestead Subdivision located at 2151 South 2000 East.

**Craig Blunt;** I understand not all of you got these in your packet so I am handing out copies so everyone knows what's going on. Dale, okay thank you. Dale, okay sense we have the preliminary review in front of us, there was a meeting with the utilities everything is pretty much taken care of in that one. Has anybody had a chance to really look these over? Cresta, no. Dale, pretty much when they had the meeting with the utilities everything looked like it was cut and dried, yes that's going to be phase one, two, three, and four. Phase two will actually tie the road in the 2000 East the other road will not tie into 2000 East until phase four. Cresta where is this? Dale, that's behind Naples Car Wash. Water retention is in the under road. Andrew, so does that mean the City will have to maintain that eventually? Dale, it's my understanding yes and apparently they talked about that and made sure everything was taken care of. Any other comments or concerns? Dale I don't see anything else so far, this is the preliminary, is there anyone here representing? Yes, **Kelly Joseph with Timberline Engineering and Land Survey;** Dale, it looks like everything from the meeting today is on here, street signs, water retention in the under road, I guess they have already made the changes, I know the water concern irrigation, was one and that has been addressed and taken care of. If you add up the radius of the zone is they do meet it. Any questions or concerns? Dale, they are

aware of putting the temporary cult-de-sac in? Kelly, yes. And it has to be approved so our fire trucks don't sink into it. Kelly, yes.

Dale do we have a motion to accept the preliminary?

Cresta, I'll make a motion that we approve the preliminary that is before us with all the changes that have been made.

Dale, we have a motion do we have a second?

Szeth I'll seconded it.

All in favor? Aye.

<b>Neil Cathey</b>	<b>Aye</b>
<b>Szeth Simmons</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>
<b>Cresta Slaugh</b>	<b>Aye</b>

Motion passed with all voting aye. None apposed.

**On July 21 2014, Joe and Christine Brasfield presented the Planning Commission an application request for a Re-Zone from RA-1 to Commercial. For their property located at 1511 South 500 East. A public hearing on rezone from RA-1 to Commercial was scheduled for August 19, 2014.**

#### **Public Hearing**

#### **Re-Zone hearing for property at 1511 South 500 East from RA-1 to Commercial**

Dale, I know we have a lot of people here concerned about that so please, we are going to limit to two minutes to address your concerns, we want everybody here to be able to address your concerns and we are glad everybody could be here tonight. Please make it brief and to the point and let's see what we can do.

Do we have a motion to open the Public Hearing?

Cresta made a motion to open the Public Hearing,

Szeth seconded the motion.

<b>Neil Cathey</b>	<b>Aye</b>
<b>Szeth Simmons</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>
<b>Cresta Slaugh</b>	<b>Aye</b>

Motion passed with all voting aye. None apposed.

Craig, I just wanted to make sure Joe had a chance to be first. Dale, yes we will have him open and tell us what he intends then we will go from there. Okay the gentlemen for the request for the zone change please come up and state your name.

**Joe Brasfield and Christine Brasfield;** you got a busy town, you got people renting out campers, you got people renting out rooms in their house, you got all kinds of stuff going on, people renting out garages we are here to help you with that. We bought this facility at 511 and we would like to get it Re-Zoned for Commercial. In stating that the commercial has to come in because in talking with Craig there's more than one person staying there. It's more of a little Motel, its small compared to your Airport, or your Homestead. We probably got five bedrooms in here, it's a big place. When I bought it, it had five bedrooms in it some of them have sinks, one of them actually has a jet tub and a bathroom in it. What I've run into in it, we run one of these over in Rangeley, in Rangeley we ran into people living in their cars, sleeping in their cars sleeping under bridges. We know these people, they have families just like me and you, they can't afford to go down town and stay at the Motel 6 for seventy bucks or a hundred bucks a night, they need help as well as the guy that can, and that's what we're here for. We're not only here for that we are here for your community; we want to help your community. If you get some of those people in here that can't afford to feed them self or their family alone and there suck in Naples or Vernal we can help them temporarily and we wouldn't charge them a dime. We're here to work with you people. Same scenario, let's say you get burned out of your house you'll have a friend to stay with, you do, we are your friend, we want to be your friend, I mean if you get burned out of your house and have no place

to go, we'll make sure you have a place to go, as long as it isn't like fifteen of you. It depends on what we write up, at least one or two beds. In Rangeley we have two beds; someone gets rained out of their house in Rangeley they have a place to go. We have long business plans for this, me and Chris really like Vernal Naples. We're going to be retiring here in about seven or eight years, we bought that place for retirement, so its temporarily set up like that right now, my daughter lives right down the street, she will be the one – it will be cleaned every day, if you're going to run a facility like this cleanliness is top, top, you can't have anybody get sick or anything like that going on because that could spread like wild fire and you could be out of business any way because nobody is going to stay there. Another one we run a very tight ship you can look up the Rangeley Police Department records and look and see how many times PD has been called to our facility in the last five years, probably once, once we had a guy over there that fell down and we had to get the ambulance over there, that kind of deal. We have quiet period at ten o'clock, it's done, its quiet we don't tolerate any of that, that's the thing with this facility is you don't have no contracts you don't have no deposits you don't have no like renting you have to give them a thirty day notice, no this is, you misbehave tonight your out the tomorrow or even out tonight if it's that bad. I know there's probably some concerned citizens over the kind we pick, but still you're looking at six hundred a month, that's not chump change, I mean you still got a be a working man and you still got to be able to afford a place to live, so it isn't like it's the guy that has a five dollar bill today and needs a place to stay, we're not going to have that in there. We're not going to allow that, we don't want that, we want a clean – we run a clean facility and we want to dress that corner up, we actually have plans later to maybe put wagon wheels and dress it all up and make it look like part of Naples. Any questions?

**Christine Brasfield;** We do have a security system there now in place, contingent on what happens tonight, this security system is in and out so we know how many times people come in and out the doors, along with a smoke detector that goes straight to the Fire Department, that way we can monitor and keep it the place that we want. We also have set rules that will be posted, like he said there is going to be quiet time at nine o'clock after that it will be quiet and we will enforce that, there's no smoking inside the facility at all and you have to be kind to your neighbors so, I'll get you a set of the rules but that's our plan as far as security and stuff like that so we do want to address that, Joe, that camera does point toward the intersection so we can actually see from my computer at my house, I can see the parking lot so we'll know probably before my daughter that lives down the road. Christine, well she has the same system. Joe, yes it will be on her computer as well. We would love to help you guys out, if you have any questions. I know we have missed some stuff we got a lot of people here tonight but we wanted to kind of ramble through this stuff, maybe we may want to speak some more tonight, we're in no big hurry. Some people just don't understand what's really needed out there, also we just want to point out we have a lot of those workers already there, in this area here it isn't just in Vernal, but there's a big facility right here with just a lot of those working kind of people in them now. It's not like we are bringing it in to a new neighborhood it's already there. Thank you.

Dale, anybody like to address? Questions, comments, concerns?

**Leisha Coltharp;** a couple months ago before I knew the sale went through, I came in and talked to Craig about this, do you remember our conversation? Craig, yes Leisha, because they were posting on a social media site that they were renting rooms there. I have two little kids and I know there's a house in between me and where you place is. There's a bus stop in the parking lot or probably won't be in the parking lot, it will be right next door, that's a lot of little kids and to know 5 or 6 single men that are living there, I just don't feel like it's safe, I don't feel like we should be putting the commercial property in a residential area. Like you said there are single guys living up at there that are living in homes or there living in apartments there not living – I mean I know his daughter is there but there's not a staff member staying there all the time literally watching out for that so I just don't feel like it's safe. There are a lot of apartments being built in the Vernal Naples, Uintah County area so it's so much easier to get a place to stay than it used to be. Six hundred dollars a month, you can find a lot of apartments available for that right now between six and seven hundred dollars and I just don't feel like it- I mean if we

turn this into Commercial what are we going to turn on the other corner to commercial? Grocery store – I just- when I built my house there I built it because it was in a residential neighborhood and not against a commercial building so that's my thoughts.

Dale, thank you.

**Misty Critton;** I live kind of kitty corner in the back of them, in the back yard. That bus stop is very busy, especially with school starting tomorrow, it's morning noon and in the afternoon there are a lot of kids there and it's not right on the corner but just across the street and even if they moved the bus stop it wouldn't be moved far from there and the idea of having people in a Commercial area just right there – I mean the people in the apartments I know the newer apartments on either side, they have to pass back ground checks to be able to get into those apartments and the kind of people that are going to renting that I see coming in and out of there are people that I would be very concerned about when children are going to be around. I think it's a bad idea to Re-Zone a residential area for this purpose. I disagree with it completely.

**Alex Barrow;** I share the same concerns of these about the kids, even if they do move the bus stop kids still walk through there to go to my neighborhood which is around the corner. There's a lot of kids and you don't know the people that are living there you know, who knows if there some molesters or anything. Do you guys do a back ground check? Joe; no there usually not there long enough to have to ascertain – these are guys that work four days a week and they got families and they usually go to Salt Lake on the weekends. We find out where they work and have information on them. Neil; how many kids are there do you know? There are a lot. Andrew; so that whole condominium back there there's not a bus stop back there? Alex; no it's out on the main road. Here's the home and the kids – at least fifteen of them walk passed the home and go back into here, they are not high school they are five to eight year old kids and girls and I just don't feel safe with them walking by the place.

**Keith Muir;** I live just around the corner from them, I don't have any kids but I come home and go to work though that intersection every day. I agree 100% with the people that do have kids in that area. That don't really watch what they are doing the drivers have to watch for them and having the people move in that we're not sure who or what class of people just takes out neighborhood down the road. I am here representing my wife also and we both strongly disagree with this. We don't even have kids but we know how many kids walk in front of our house every day and on around the corner to go down to the apartments that was built in that last subdivision down next to the airport. I strongly agree with all the people that are sitting in this room. Don't do it, not with that corner, there's just too much traffic there already not counting the bus stop. That traffic on that corner is terrible.

**Emily Clark;** I live right around the corner in the same subdivision they all are. I also strongly disagree but probably for another reason. You shouldn't as a city, have allowed a building permit for that to have been done, there's been two maybe three owners for this and its gone and gone and gone, it should not have continued on to be built as a structure like this if we weren't going to have an approval for this. I feel awful that the Brasfields have bought it, they are stuck with it but as a neighborhood and a Residential area we should not have that in our neighborhood. We bought our homes there we're going to live there, we not going anywhere. I want my little girl to be able to walk to the school bus next week and get on it without worrying if there's some creep that stays there. I'm totally against it.

**Kate Pedersen;** I have grandchildren that catch the bus there and I just – there's so many of these little kids that walk down that street and hang out on that corner to wait for the bus and again it just – it takes one kid one time one night one incident and you can't be in control 24/7. I know you can do the best you can which is probably very good but just one time something goes a miss and then what? What happens to the family? What happens to the child? We don't know who is going to be there, we don't know if there passing through or if they have been kick out of some place or if they have some place else to go. We don't know the caliber of tenants and I just so strongly disagree with that. Like I say one time and it's too late.

**Chris Clark;** this feels a lot like spot zoning which kind of goes against the whole purpose of having zoning in the city. The city has put a lot of time and effort into preparing zoning regulations and ordinances to try and prevent this type of thing to

happen. I think if this zoning change were to go through it would set a precedence which would detrimentally effect that whole purpose of having zoning so in my opinion I would oppose approving this change.

**Annalee Johnson;** I live in the same neighborhood just off of 1500 South; I have children so I have those same concerns but my main concern is more along Chris's. I'm concerned about what kind of precedence we are setting for our long term plan at Naples City. I have lived in Naples City for a long time but I feel like setting those guide lines right now we'll create a better plan for the city to go for generations down the road and that spot zoning just opens so many doors to be able to change things from the way the original people who live in the city wanted to shape the city. Dale, anybody else like an opportunity? Okay we will close this portion of the Public Hearing. You folks are welcome to stick around; we will have a discussion with the Commission and our recommendations to the City Council later on.

**Now we need to go to the Re-Zone property from RA-1 to A to allow the Airport for expansion.**

Dale, do we have anybody representing?

**Loren Anderson; representing Uintah County,** I assume you have the applications that we have filed? In addition I have some more information I'd like to – Andrew, you meant the petition and the request to vacate the road? Loren, yes, see right now we're talking about to Re-Zone, this should be, what is that two or three properties we're asking for Re-Zone? Craig, this is the map for Re-Zone. Dale, this should have been brought to us before. Cresta, yes, I agree. Dale, there's a lot to read there and no time to do it. Andrew, okay so what do you want to start with, and just to remind you this is the Public Hearing part. Loren, certainly, if I'm limited on how many minutes I can speak, I would like other people to speak so that I can respond to those. Dale, let's just do a general thing of what actually is going to happen here as far as properties being Re-Zoned and what the Airport plans on doing with the road vacation, just kind of a general purpose here. Loren, do you want me to talk about the road vacation also? Dale, let's do the whole thing, there's two separate things here but we just as well air it all out. Andrew, so like ten minutes. Loren, I can probably do it in less than that, I would like some time left so if something comes up I will have time to respond to it. Uintah County recently acquired some property for an Airport expansion, it's been going on – it's been contemplated for quite a few years. Uintah County wants to be a good neighbor with Naples and we understand that the Airport is controversial, it's near your – it's bordered by Naples on three sides. We also know that there is ambiguity in the law as it concerns what Airports can do and what Cities can do, and just to be a good neighbor we filed this petition to vacate this portion of 1750 and to Re-Zone this property into the Airport zone that Naples City has. This will allow the Airport to be all under one zone, there are – I believe there are a couple other properties within Naples that are in the Airport that we also need to Re-Zone but at this time it's for this property. We feel it would be good for the public good because it would get the Airport altogether in the same zone that Naples City created. As it pertains to the road vacation, the portion of 1750 goes to one residence, we've purchased that residence with the intention of taking it down. We've made communications with utilities; they plan on moving the utility lines outside of that. We also plan on building a turn around and if you have specific questions about that I do have the engineer is here and we can discuss that and moving the water line and that out. Creating a turn around on 1750 for people that do use that road. Andrew, that's the public one, that's the public one? Loren, yes, yes it doesn't continue on passed that residence it just goes to that residence and we a (un audible) over there and further (un audible) at the property line. If there are any questions please feel free to ask if there. Craig, I have a few. We talked about the moving the utilities I was just curious about the irrigation. We see a request to vacate but we don't see any planning. The second part is recently how are you going to address some of the items in the ordinance (un audible) Loren, yes we are going to address that. The reason we have not submitted a plan yet is we are still in the process of developing that plan, again if the engineers would like to speak up, but this time we're asking for the vacation and the Re-Zone, we are developing a plan with that – with the irrigation. Craig, shouldn't that be in the package so there would be no. Loren, is that required by the application? Craig, um how are you going to address the ordinance its self-knowing what the (un audible) that should be with this. The others are the irrigation that was sent, as the water users will be signed off on it

if we have to move it will provide a (un audible) up there, ours requires a twenty foot – on both sides of the irrigation. Loren, which irrigation are you speaking about? Craig, it's the one that actually now we're dealing with, with this Re-Zone will be inside the road. I believe it's called. Gordon, it's the Bowden property, the water line runs up the fence. Loren, is there a right-of-way now? Gordon, yes it's a ditch, underground ditch. Its five feet into the Bowden property so we're going to have to be a good fifteen foot – ten feet on either side of the underground ditch. Loren, if there's a right-of-way there we intend on abiding by that. Gordon, I think it's been at rest.

**Jeremy Gilb;** we know – we have done research and we know that it exist there, we done a title search and we didn't find anything current easements, but I mean if the water line is there we are not going to disrupt any access to the users. Craig, our question is still when and how are you going to address that? There is a fence and the access to the easement. Loren, we will have to do that with the easement holders, we intend to do that. As you stated – as was stated, we did not find that in the initial studies we're going to have to go back and find that right-of-way and find that pipe line, and we intend on working with the people that are the water rights users. Craig, we might as well address this fence against those residences now that think (un audible) Loren, okay Uintah County, we are opposed to this requirement. We handed you some paper work concerning the cost. The cost of a eight foot tall four foot wide fence, sound barrier fence is tremendous. The FFA has stated that they will not support us in that. They will not allow that on their property, we would have to cover that or Naples would have to cover that. At this time we ask for a waiver, we ask that that not be enforced especially just for one residence. I've also included things, the FFA done a study when they talked about expanding the Airport years ago about the noise level. As you can read through that and see, the noise level, I'm sure the neighbors that live right there will say it's horrible but the FFA said at this point even with the expansion that type of wall will not do, will not help. So we ask that this requirement this additional regulation will not be imposed on us. As it concerns the cul-de-sac turn around, on 1750, we intend on building that, we intend on doing that. Andrew is that something that the FFA would pay for or is that something the County would pay for. Loren, the County, once again the FFA will not pay for that the County plans on doing that and we have to jump through a few hoops because the FFA will not allow it on Airport property so the County has to purchase some of that property to buy that – but the County has stated that they are willing and the engineers have even been looking into that, to build a cul-de-sac. Andrew, do you have a cost break down for what that is? Jeremy, on the cul-de-sac its self or? I don't have a break down, I think we purchase the land was going to be like three tenths of an acre, that cul-de-sac would be on – currently Airport property by the County, I'm sure if they need it for aeronautical use it's not going to be the County that purchases it. Craig, now the other reason I brought this up is we work with you and last year we did on 1000 South road and that hasn't been taken care of. Loren, do you remember the terms of working with us? Craig, yes, the things that aren't done – Loren, well do you remember it was stated that those things would be finished at the time of this expansion because of the cost? So yes. Craig, what about the signage? Loren, and do you know what? I've talked – I've spoken to people about that and they are in the process of fixing that, we just learned about it last month with the Mayor and yes that's been taken care of and the paving of that and the pre working of that. It was all- it was discussed and that was agreed upon that that would be done during this big expansion project. It would be cheaper to do everything at the same time. Craig, well to Re-Zone and not have things written out as these things will be done, so you see where I'm coming from? Loren, I know what your concern is. Craig, you want a Re-Zone of the Re-Zone but what guarantee you are giving to follow up on those things we've been telling you. Loren, Mr. Raymond's here, I'm here. Craig, just on 1000 south, you're setting an example. Loren, and you know, we had an answer for that Sir, and we told you we intend to abide by that and we were living according to the agreement. Craig, it's been almost two years. Loren, right and that's when the expansion was – it was when the expansion was occurring, I don't know what more you would want from us, as I said Mr. Raymond is here, I stating for the record, there are minutes being taken. Neil, why is it that they have disapproved this type of fence? Do you have anything in

writing from them saying that? ?? They have stated they are not paying for this fence. Neil, well paying for it and not approving are two different things. ??? We don't have anything in writing from them. Loren and the thing is they won't allow it on their property, on FFA property. We could put it up or you could put it up outside of their property line and they wouldn't – well there are certain height restrictions things like that. Szeth, what's the reasoning for not allowing that on their property? Loren, as it was explained, things on Airport property have to be for aeronautical use and to have a fence, the type of fence that is required, that's it, if it's a different fence that's not considered to be (un audible) Andrew, is a fence required? Loren, a fence is required by the FFA. Jeremy, a security fence. Andrew, okay that's been ten minutes so – I mean we're going to have more discussion on this, I would just ask that we let the public get started. Dale, how many properties, I guess I was kind of confused. How many properties are we asking to be Re-Zoned? Loren, well with the application I thought that there was more, I thought that there were two. Dale, I see five. Andrew, but are they owned by the same owner? Dale, three owners and five parcels. Andrew, Carlyle will you come up and state your name and address us please.

**Carlyle Rollins;** I have a hard time hearing you guys. These guys are back talkers and I don't trust any of you guys. Mr. Kitchen it comes right to his damn door step. Then this guy denies it affecting anybody on the course, it's affecting everybody on that street, don't you agree? Andrew, my question to you is are you opposed to what they are doing or are you just wanting to make sure they are following the ordinance? Carlyle, well they haven't even brought a complete dialog here for us to listen to. Do you think Mr. Blunt? Craig, No. Andrew, so if certain condition were met you would be okay with the expansion and vacation of the road and the Re-Zone as long as they were willing to meet our stipulations? Well that's my question to you – is that what you're saying? You would be okay with all of this if they do what we ask. Carlyle, maybe, what roads are we going to lose do to construction the construction we're talking about? Loren, - Craig, 1750 south. Carlyle, they don't even know what road there're talking about, they don't know nothing, don't listen to these guys until they get a damn plan that we can understand. Do you believe them? I don't believe a damn word they say and they haven't proven that anybody should believe them here tonight. Do you believe him? What do you think? You don't know what about you? Dale, personally myself I'm a little discussed that we got our paper work handed to us the night of; we didn't even have a chance to review it. Carlyle, yah that's the way it goes. When are you going to start this program - project? You bought some of this property ten years ago and it's just sitting there going to hell. I'm sorry for being upset; I'm not that bad of a guy but you guys gotta get your shit together if you're going to do what you're talking about. Okay? And I thank you. Dale, thank you.

**Rodney Anderson;** I own this 40 acers right here, when I bought that ground about twenty years ago I worked with Uintah Engineering and found out what the flight path was, of the Airport. I wanted to make sure that the ground was not in any established flight pattern and my work with Uintah Engineering back then, what they showed me was the establish excepted flight path barely clipped my southeast corner. Barely clipped, like 20 feet or something. I was willing to live with that and except that that piece of property would be within the flight pattern. That I would be restricted in the future of whatever I might be able to do on that little piece of my property. I have opposed this Airport at every meeting I've been aware of and been able to attend since 95 or whenever this all started. I am, I am adamantly opposed to the expansion of the Airport – to this expansion of the Airport, of moving it the way it is, the way the plan as I understand it. I realize property has been purchased and stuff along that way. I don't know what formula is used to compensate for the devaluation of property but there's no question – the Re-Zoning doesn't include my property if I'm seeing that map right, it butts right up against my property. My ability to sell my property in the future, if I wanted to do a subdivision or do something to retire upon or sell that to whatever would be almost nothing. The devaluation of my property is this goes into place would be very significant and nobody has ever approached me to say ok since we're going to devalue your property this is the formula that is used to compensate for that loss of value you have in your property. Like I said I have registered my complaints every step along the way that I've been

able to or been made aware of I wanted to make sure that whatever future activities may occur or actions that may happen I want it on public record that I was here and strongly oppose. I oppose to what I understand to be the scheduled shifting of the runway over that will then include my property – a significant part of my property within the flight pattern. I haven't seen the flight pattern but I know it has to be – for all I know my house will then be in the established flight path. I know – well twenty years ago was when I checked it – it was not twenty years ago and I have not heard anything since then. So that's my concern.

**Gordon Kitchen;** I'm speaking as a citizen and not as an elected official of Naples City. I live on 1750 south, I think Craig kind of jump the gun on my thoughts. My major concern is I really understand the expansion and why it's happening, the whole process that's gone on. Not opposed to the Re-Zone if they are willing to follow the ordinances of Naples City. It's addressed that they are going to challenge the – I guess challenge the ordinances as written. Airport ordinances to expand to Naples City you're going to have to abide by the ordinance or challenge it and if they're going to challenge it I don't think now is the time to Re-Zone. If they want to abide by it then they have to jump through some hoops to abide by it. But I think that along the way we need to address the construction of having to tear the grounds down, having to take materials out, you're talking about a road that is approximately twenty feet wide. As you're running big trucks hauling out all the excess dirt that's going to have to be hauled out of there we have a big issue – but they can be negotiated – we as a City want to – me as a resident are willing to see that we can make things happen.

**Mark Raymond, Uintah County Commissioner;** thank you for the opportunity to come and address this board. Sometimes change is difficult sometimes growth is hard. As a commissioner it one thing that I have come head to head with, we've seen a lot of growth, in the County. Planning and Zoning is under my jurisdiction within the County and it's probably one of the most difficult areas that we have to address as a community. So I take my hat off to you for the difficult decisions you have to make it here. The issue that I would like to address tonight is the vacation of the roads. I think we could do separate from the noise sound ordinance. I happened to be in the meeting with the FFA when they said they would not build the – participate in the sound proof wall. They said that in an Airport it really doesn't matter where you live, you're going to have sound issues, and so for those who decided to purchase land along side of or right next to the Airport, I take my hat off to them because it takes a great deal of patients to live by an Airport. As far as the vacation of the roads go and the Re-Zone we'd certainly like you to support that. Uintah County would like to see the growth and economic development it would bring to our community, to Naples to Vernal to Uintah County. We feel like it would be a real plus and real opportunity as we seek a carrier to take the Denver route one of the things they have requested is an additional two hundred and fifty feet of run way? Kelly how much more runway will the addition have? Kelly, six hundred. Mark, six hundred feet? So we would really like to see the board consider that. Just to review, Uintah County has been very supportive of the growth in Naples. The new street lights along Hwy 40, I set on a state Joint Highway Committee, when the issue was purposed to the Joint Highway, I was a very strong supporter of those light along Highway 40, to light up Naples, to improve your community. I supported that. I was a champion for that. There's some new CDA been created, within your community, over by IFA. When Uintah County was approached to support that CDA it meant a significant decrease in our property tax with the new businesses there, never the less we saw the potential for growth and economic development so we supported that CDA that Naples City requested. We supported that. Just recently you went to the CIB for more money for more street lighting. Commissioner McKee supported that, and help pass the request for that funding.

We see Uintah County as a partner so we would hope that Naples would also see an opportunity to help the County and out community. We do ask for your support. Neil, I have questions or concerns? Mark, sure Neil. Neil, some of the master plans I've seen show the Airport moving out west. Is that ever going to happen; is it worth adding on now or saving for later? Mark, you know that topic came up just this afternoon as we visited with GDA, our engineering firm with Kelly Harvey our Airport manager. At some point, as the implements on our current facility grow, that

will have to happen, we simply cannot provide an Airport large enough to support the number of implements that we will need at some future gate. We don't anticipate that number or level of growth for a number of years. We're probably looking at thirty or forty years in the future, so right now to support the growth and the economic development of our community that we have today. We need to make this improvement to our Airport that we currently have, but we do see it happening. Andrew, I do have a question. Apparently the turnaround is not an issue. Mark, the turnaround is all planned. Andrew, and that's something that Uintah County is going to have to foot the bill for. Mark, that's correct. Andrew, so I guess my question is why that is not an issue but the fence is? Like what is the difference – I mean we don't want bad relations I just wonder your you know – we're spending a couple million dollars on the.—Mark, in the meeting the FFA and I don't know if it's public record or not but they said it's not going to do a bit of good. Now if I was the person that lived there in that house I would say it sure as heck does. But the FFA has said they will not support it, they don't do it anywhere around Airports because the sound around Airports goes everywhere. Dale, I will agree with you 100%. I've been living next door to that Airport all my life. As planes go in and planes go out I've never seen one hit the same tracks every single time, they fall short or they – I'm a little concerned, and I understand economic development but it just seem like that we have had three of our main roads effected by this. It just seem like Naples is giving and giving these roads and we're losing our main artery roads to an Airport that just keeps going and going and going. The next thing you know we'll have 2500 south done and it'll be gone and then we'll keep on going to the subdivisions. It just seems like there is no end for us in losing in this particular thing. Mark, I would be glad to specifically point out the roads that are being requested to vacate, they are only the portion that Uintah County has – on land that Uintah County has purchased. So it's not, it's not roads that will be publicly accessed in the future anyway; it's only roads that will no longer be used. Andrew, well I guess my question didn't get answered anyway. Why is the turnaround okay but the fence not? What is it about that price point? Neil, if the FFA is not kicking in on either one, your saying why chose? Andrew, yah right we're throwing money down there anyway why is that – Mark, the turnaround will be used by the public at large, the turnaround will be used by emergency vehicles by snowplows by ambulances, I don't know if buses will need to go down around that lane in the future. Jeremy, I don't know but the sound proof wall will not help anyone according to the FFA. Andrew, so if our ordinance just required a masonry wall you would be opposed to that as well. Loren, can I just make one correction? Its four foot greenery or what's it called? Land scraping strip. It's not a four foot wide wall. The wall would be three hundred feet long and eight feet tall for one residence. And it's still not going to do them any good, according to the FFA. Neil, what's the difference in cost in the fence that they would require than is? Because that's what the County would actually be out, right. Jeremy, I don't have a clue. I'm sorry Neil I don't have the answer. Neil, but for the fence they require they would pay for that. Mark, they will pay 95% of the fence that they require. Dale, which is a 10' chain link. Mark, but they will pay zero. Neil, I'm just wondering what the difference in the cost is. Mark, we can work that up for you, I'm sure it's numbers that we can crunch. Andrew, well yah that's my question. Are we trying to get in an argument over pennies or – Mark, I'm too old and slow to crunch those numbers in my head but I'm sure we can get them for you. Andrew, to me if just seems a little trite, I mean what's the fence going to cost, a couple million dollars? For around the entire Airport. Mark, for around the entire Airport, we probably know that number.

**Justin Marchant, GEA Engineers;** We've got bids we're actually - we're going to re bid the project but for building the fence that we're building – that is going to be the extent of the fence built around the Airport is likely to be around three hundred thousand dollars. Mark, and just to re-emphasize that will be for aeronautical purposes, to protect the interest of the Airport and those who are within it, security, that has a very broad reason. Again the FFA has said that they don't see, and I'm speaking what the FFA has told us, they don't see a reason for the sound proof fence wall. If I can answer anything else for you I'll certainly do my best. Dale, any other comment on that?

**Chris Clark;** just to address a simple point on that last issue, having the precast concrete fence vs. a chain link fence. In our – in Naples City commercial and industrial zones they require that protection and it's not just directly related to the Airport so it has to do with more than just preventing the noise, preventing whatever is coming through from the airport, it's also kind of protecting the quietness of our neighborhoods and protecting it, providing some sort of separation. Challenging it is kind of a way to delay what has been put forth in Naples City ordinances. I don't want to go backwards on this; I'm kind of coming in here blind on this project I haven't really seen a lot of what going on. It sounds like maybe it's still in the planning phase. But you're just getting around to Re-Zoning this property for your infrastructure or any kind of final plans but I think it would be helpful at least for me, I see a lot of this expansion of this zone to the west, and maybe I'm not getting the areas right based on this map. A lot of expansion to the west with this zone also to the south is sounds like we're just lengthening here so what's the purpose of having to add that zone? That Re-Zone to the west, where are these changes being made for the street to have the turn abounds and which roads will be – just help me see what the purpose was behind this Airport expansion, related to this Re-zone. Is that something we could have the engineers possibly go through real quick? Jeremy, this project has been in the works for several years, ten years in the making. It has gone through a variety of steps, first was a master plan then a variety of steps. In 2009 the FFA did an environmental assessment with the master plan. Looked at several different options, the option that came to the top was the current runway, in Airport terms you have to have visibility between two runways, and to keep that the plan is to move the existing runway on top of the parallel taxi way and shift the parallel taxi way and part of that concern was not purchasing any property over here because that's industrial property for Naples City and that was one on the major concerns so the reason why the County has acquired the additional property is the new runway with a parallel taxi way is going to be six hundred feet long so it will be seven thousand feet total and then the parallel taxi way which is highly recommended for safety and for commercial airlines will be four hundred foot off set to the west and so that's why property to the south and to the west was purchased for that. The runway is shifting over two hundred and seventy five feet then the parallel taxi way will be four hundred feet from that runway. Szeth, would you point out how much of the roads are being annexed into the Airport? Jeremy, I don't have the exact length – the property line – I'm just going to go rough, (he is showing it on the map) it comes down here and then jogs in because of the annexation with the property owner he requested that we buy all his property and not leave him a sliver there. Then it continues to the south just as the Richens property whose property line is right there, and then continues south and goes all the way down to there. There is nothing on fifteen hundred; it's just down to the property line right there. Gordon, let me back up a sec, it does affect him down there because he has talked about putting homes back in there, and it's not just me. Andrew, so I guess my question is, is this going to be one of those heels digging in things where we're going to be in court over for the next fifteen years if Naples City decides we got to have the fence and the Airport decides we're not going to have it? I mean, are we going to ruin the County by doing that or, do you know where the County stands on it? Jeremy, I can't speak for the County I mean I can tell you all kinds of things about the Airport and things like that. Dale, I guess let's just go back to the Re-Zone actually because the fence issue is actually – I mean it's in our ordinance so if they want to challenge that fence then that's fine let them do that, but we need to really concentrate on the Re-Zone the property RA-1 to A-1 to allow the Airport expansion is basically what we're here to take care of tonight. I mean that's first on the agenda the other one is the vacation part of 1750 south which I understand that is into that part but the fence is really – it's in our ordinance if we allow it then that's something that they can come back and challenge later on. Any comment on the Re-Zone of the property from RA-1 to A-1 the Airport zone? Okay, any other comment of the vacation of 1750 south on the west of the Airport? Jeremy, you ask for the length of the road to be vacated on 1750 south? Szeth, yes, someone back there wanted to know. I already know where you're doing. Jeremy, okay, the petition – the application has a map that was printed by the surveyor that I believe says how many feet. Andrew, two hundred and eighty seven feet. Dale, yes, two hundred and eight six point six; two hundred

and eight seven. Dale, with no further discussion we will move on to the rest of the public hearing. As a amend land use ordinance chapter 02-15 on set parking requirements. Craig, page 13, the first thing we look at, is we noticed with in the ordinance we have the off street parking requirements, we have a section of landscape and screening that was put in there and not really anything in our industrial zones or commercial zones, there isn't – addressed fencing other than this one which is somewhat ambiguous, it isn't very clear, so the thought was to take that out of the parking ordinance and then add those fencing requirements in your industrial zone. You will find that on page four of the industrial and the commercial zones it should be on page two oh it's on page ten. Dale, oh just move it. Craig, yes, put it in the zones so if they do but up against residential it's a little clearer on what's needed. Dale, yes, we discussed this last month? About picking up the individual commercial zones so it would be a little clearer. Any comments? This is a public hearing. Is there any a comment or concerns from the public? Any concerns from the Commission? As far as the amended land use ordinance chapter.

**Motion to Close Public Hearing**

Do we have a motion to close the public hearing for the above Re-Zones?

Cresta, I make a motion that we close the public hearing for the Re-Zones that we talked about.

Dale, we have a motion, do we have a second?

Szeth, I'll second.

Dale, all in favor?

**Neil Cathey**

**Aye**

**Szeth Simmons**

**Aye**

**Andrew Bentley**

**Aye**

**Cresta Slaugh**

**Aye**

Dale, any opposed? Motion carries with all voting Aye.

Dale, this is Commission discussion only, we have closed the public hearing but you're welcome to stick around. This will be our recommendations to City Council. We'll take care of the Re-Zone property at 1511 south 500 east from RA-1 to C. Neil; rather it's that Re-Zone or any of them we can't let personal feeling get in it. It's about the ordinances that we have and rather it's legal or not. I understand peoples concerns about their children or whatever, but more about the zoning and the laws. You never know who your neighbor really is and if people buy this house next to me, if it's for sale if can't control who goes in there. We're bound by the ordinances not – if somebody is saying they don't like this or don't like that, that's hard for us to process. Do you all agree? Dale, my major concern is this right now, is putting commercial property in a residential area. Neil, where's the closest other commercial trade? Do you know? Dale, across to the Airport. Neil, yah that doesn't fit. Dale, we're not going to spot zone. Andrew, I personally don't have any problem with it being a commercial zone in a residential area as long as you're going that way from the for front. The Homestead subdivision, if they'd said right here, we want this to be commercial because we want to put a little coffee kiosk, like that I would be more amenable to but where it's already – I don't know that there is an available lot in that subdivision if it's not been developed. Dale, well we run into the issue of having a residual in an industrial zone. We just inherited that from the beginning and now we are having to deal with it and I don't want that same thing to happen again. I can see we need to keep this from going and going. I agree if we have a commercial zone – for instance if we have our down town area a commercial zone and somebody else wants to go a little further into the residential zone I'm a little more into that, but where this is a whole separate section. Cresta, I think it's a good concept. Dale, it is a good concept. I love the concept just not in that particular place. Szeth, I think they never got permits or anything to build it so it kind of falls in those lines. They broke the rules all along the way. Dale, it's an inherited problem. Neil, Craig do you know Craig? Craig, it was built as a single family resident. Andrew, do you know what the rules are as far a spot zoning is concerned? Craig, that doesn't exist anymore, but the way you are addressing commercial with residential, that's what you are supposed to be doing. Neil, so if this were to change

to commercial they would have to meet all the ordinances for commercial. Dale, if we zone this commercial, it's commercial. It can change from being a motel here to anything we allow in our commercial zone, so we're not only giving them approval for this, if we say yes we're going to Re-Zone this to commercial, if he sales this as a commercial lot they can do whatever they want according to our ordinance. Cresta, there's a lot of stuff that it can become. Dale, there is a lot of things that can be commercial use. We have a commercial zone that we have been looking for, for years and years and years on this. Tring to keep our commercial to a commercial zone, encouraging the commercial in our down town. That's my opinion, everybody has their own opinion but that's my opinion, and it's a bad deal to start out with that. It's like Craig said, it was a single family home, and it was designed for a single family home. What I encourage myself to think as, there are single family homes around there. Not only that but traffic flow would be increased and it's already a bad corner. Cresta, they do have a four way stop. Dale, they do have a four way stop but it's.

**Motion for Re-Zone:**

Do we have a motion for the Re-Zone to go to City Council for their discussion? Andrew, to be clear this is a recommendation, the City Council does what they want. Dale, that's clear.

Andrew, I make a motion that we not Re-Zone it. As our recommendation to the City Council.

Dale, okay.

Neil, I'll second that.

Dale, okay, all in favor?

<b>Neil Cathey</b>	<b>Aye</b>
<b>Szeth Simmons</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>
<b>Cresta Slaugh</b>	<b>Aye</b>

Dale any opposed? Motion carries with all voting Aye.

Our recommendation to the City Council for their next meeting, that we leave it RA-1 and not Re-zone it to commercial.

Re-Zone property from RA-1 to Airport to allow the Airport to expand.

Andrew, I'm not very smart so I would like a plan laid out that says, here's what we're looking for, here's the turn around, here's the fence. Settle the issues with the irrigation so that we know that right here we have the right amount of right-of-ways. Those are all things that I would like to be able to see, before or otherwise we just have promises. Neil, right and we're still just recommending, I'm not against it; I live two and a half three miles away from the Airport. I still see and hear the planes and if the Airport is going to expand. It sounds like it's going to be a long time before it moves somewhere else but if it is Re-Zoned they have to – when it goes to the final steps they have to obey all the ordinances. Andrew, I'm not opposed to any of it by any stretch of the imagination, I would just like to see it more clearly. Cresta, me too. I wish I had the stuff in my hands. Andrew, I don't know that there is anything they could have brought that would have changed our minds because or County for the last couple of years have been screaming about how they don't like big government telling us what to do but now it's like the FFA says this so let's go with it. Szeth, they said that they have a promise or a plan to finish the end of the road on 1000 south and haven't done it. Why aren't we being able to see what their plan is and being able to look at that, because we obviously don't have any idea what their plan is. I haven't received anything to look at more or less than what we have right now. Dale, for me we have a lot of paper work in front of us. Andrew, what can we do to keep this moving so it's not a no but it's a yes but. Neil, half of this paper work we didn't need tonight. Too me it doesn't matter what the fence cost it's in the ordinance and until the ordinance is changed for whatever reason it doesn't matter to us what the fence cost. Szeth, we have had meetings on this within the last six to eight months and nobody was here from the County to address their concerns then. Dale, my thing is, we see a lot of noise decimals here and living next to the Airport they mean nothing to me? I can guarantee there is a crop duster in here that's louder

than the commercial flights that come in here. I'm sorry, I know that they have done all the studies and everything else but. Andrew, well what about the guys racing their motorcycle up and down the road way? Dale, I just feel that the City is losing more than we're gaining. Dale, I really really am already concerned that they have already cut off to many artery roads and it just seems like we keep on giving and giving and giving and that's what we're going to keep on doing. It's kind of a – I don't know that there's ever a plan in it, and I can't go by that because maybe you have a better - but I know living next to it I could take it or leave it. It's not that big of deal, I'm not here to promote it and I'm not here to defeat it but I'm here to look at the citizens and the way that we are as a City of what we're losing instead of what we're gaining. Andrew, so are you opposed to the Re-Zone and the vacation of the road all together? Dale, absolutely. Neil, I disagree, if they meet the ordinances I'm for it. Szeth, if they meet the ordinances they should be able to do things with it. Dale, okay, let's take this one thing at a time then. We will discuss the Re-Zone property from RA-1 to A which is Airport that will allow the Airport to expand. Do we have any further discussion on that? Cresta, if they plan on challenging our ordinance then why should we do anything? Neil, we can't control if they want to challenge something or not. If our ordinance is strong it shouldn't matter if they challenge it. Dale, it's just if we – I mean really we – for the Re-Zone the property owners are here. You said it was three owners' five parcels? Gordon; Uintah County is the owner of all of them. Dale, oh they bought them out, alright. Neil, again this is just our recommendations to go to the City Council and I would hope that they would consult with our legal team before they make their final decision, on how strong the ordinance is. Andrew, and that's what sickens me. It's not like Naples City and Uintah County are really in the position to fight each other. It's not like everybody don't say I live in Vernal rather they live in Naples City or Uintah County, we're all a community. Dale, I do, I write Naples City any time I can. I'm proud to live in Naples City. That's why I'm sitting here trying to help the citizens of the community. That's why I'm here; I volunteer my hours to come down here to help our community grow. Craig, just have another item, I just wanted to remind you. A developer came in; he wanted to Re-Zone property and do it blindly, not knowing what's going on. Andrew, well if it was anybody but the Airport that was asking not to build a masonry fence, if it was Halliburton would we – Dale, any other discussion on just the Re-Zone? Neil, Curt makes a good point, if it was a hotel or anybody else; Homestead gave us some detailed plans. Szeth, this is just promises and we've been promised by politicians a lot of times and we all know how that goes. Neil, Craig have you seen any plans or do you know where their at in the process of having a finalized plan? Craig, just like they said, they are working on it. Andrew, so what do we do? Neil, table it. Andrew, just flat out reject it or can we recommend the get more information on it? Dale, we can table it until next meeting then they can bring it in here, or we can reject it and let the City Council make that decision. That's up to us, it's up to you guys, and it's your vote. Cresta, I think we need to have more information, promises are promises but – Andrew, well like, I mean Uintah County is a little different than a developer too though. Dale, are they? Andrew, I think in some aspects they are. Dale, if we have promises from a developer and promises from Uintah County that's different? Promises don't mean anything without paper work. Andrew, yah but a developer can get up and move out of town, Uintah County is kind of stuck here. Neil, I disagree with that. Dale, okay do we have a motion? We can make a motion that we table it for further discussion.

#### **Motion to Table**

Neil, I would move that we table it for further discussion when we have more of a permanent plan in front of us. We did kind of get a lot of stuff thrown at us tonight and I don't feel like some of this was relevant to our recommendation. That's my motion is that we table it until the next meeting.

Szeth, I'll second it.

Dale, all in favor? All Aye.

**Neil Cathey**  
**Szeth Simmons**  
**Andrew Bentley**  
**Cresta Slaugh**

**Aye**  
**Aye**  
**Aye**  
**Aye**

Any opposed? Motion passed with all voting Aye.

Dale, with the information that we have received, we would like, we just need some more detail of what is actually going to happen instead of what we see here. Neil, we need some pictures. Dale, that's our recommendation to them, before it goes to the City Council.

Dale, the vacation of property on 1750 south west of the Airport, any discussion on that? Cresta, so we are losing some of the road correct? Andrew, two hundred and eighty seven feet. Szeth, if they build a turn around like they say they are going to it should be normal. Andrew, that's what's hard though because if they build the turnaround we still have the irrigation right-of-way that possibly needs to be addressed there. Neil, that's my question I don't know if these guys can answer. How do you have an easement on a right-of-way in side of an Airport fence? Andrew, so the fence, I don't think that they can put it in there where there're having it Re-Zoned. Cresta, so where is it? Where is the water line, where is that underground? Neil, again I think we need to see all this stuff on a plan. Cresta, where is the easement if you can't get into the Airport – Andrew, well the water line is right off of the fence. Dale, this ends up being an issue with a lot of our developments, because they don't dig far enough and without the City down here with the water users a lot of these get over looked. We have found out with some of these other subdivisions that there are one water line two water lines or whatever and they are sitting there scratching their head, where did these come from? But we're allowing them to build homes over these, which they are just as important as our utilities. Andrew, well there's a subdivision, I think it's in Uintah County that is further west on 1500 there where Dwayne Cooks property is, I guess where those luxury homes are being built just north of there, I guess they sold a lot without notifying the people that bought it that they was and easement right down the middle of it. So right where they had staked out to build their home was right in the middle of that easement. They could have built the home there but if they needed to adjust the water line it would have been straight into the living room. Dale, I guess I would just like to see where all of it was going; I'd like to know how the turnaround is going to go. Are you going to take all of the two hundred and eighty seven feet and then build the turnaround? Szeth, I think it's going to come down into the Walker place so you can go down and get turned around. Andrew, no, no it's a cul-de-sac, it's a cul-de-sac right? Szeth, then it will have to come like that. Dale, are they vacating that much road? Szeth, it doesn't matter the parking is still there. They will be able to do it there. They'll have enough room. Andrew, so are they just going to have to move the fire hydrant down to the end of the cult-de-sac? Szeth, they will have to do that. I think he talked about doing all that before they cut those off and move them up and get them stubbed off. Craig, we did discus leaving on the Airport side of the fence, then the hydrant on the other side of the fence so if something happened in the Airport we would have access to it. Residual, so we would have access to it. I thought it was a good plan. Dale, discussed or in writing? Craig, discussed. Dale, okay thank you. Szeth, they could double fence it. I want to say like they have around 1750. They have their main fence then they have a gate there then it's fenced off for the utilities there so the people that have a key to the gate can get into the utilities but then again it's fenced off so you can't get outside of it. Neil, again I need to see it. Cresta, that's just it, that's something we need to see. Where is that water line and how is it going to be effected? Szeth, it would be nice to have something written the says what their plan is and how they plan on letting people access and then have it all signed by both parties or ever how that takes place so it's all written and there's no misunderstandings. Andrew, maybe this was just their initial thing to kind of get the ball rolling to let us know this is where we're headed; it was kind of abruptly put on the agenda. Dale, I understand things about making progress but I just – Cresta, well there's a way to go about it. Dale, I think it's like Neil said, we got a lot of things that are not relevant and a lot that is relevant we don't have in front of us to make an informed decision. Andrew, I'm sure their working on it. Cresta, I think that should have been brought before us too. Neil, I would like to see them come back when they have a plan.

Neil, I make a motion to table until we have a physical plan so we can see where all the fences and lines and all that will be.

#### **Motion to Table**

Cresta, I'll second that.

Dale, all in favor?

**Neil Cathey** **Aye**

**Szeth Simmons** **Aye**

**Andrew Bentley** **Aye**

**Cresta Slaugh** **Aye**

Any opposed? Motion carries with all voting Aye.

Recommendations to the City Council on the following items; I feel that we have taken care of all these, since there all inter connected with the fencing ordinance and off street parking requirements so we will go with the 02-15 off street parking requirements 02-26 commercial zone, C1 and C, 02-28 industrial zone II. Cresta, so the off street parking is just for the commercial and the industrial, is that correct? I just wanted to make sure. Dale, yes. Craig, I've been tussling with agricultural. On some of the permit uses for agricultural. That's another one that we need to address, I'll work on that and give it to you, it should have a zone in there too. Andrew, I would like to see something in there that addressed the placement of the fence. I mean if you have – if you're dealing with parking lots here, does that apply to the whole property or just what property is adjacent to a parking lot? Craig, it's the properties, residential that's adjacent to it. Andrew, to the parking lot or to the property? Craig, it's to the property. Andrew, because like Naples Elementary, if they were to have to build a masonry fence along the back side, where there's just kids playing. Craig, that's an interesting concept if you think about it. Elementary Schools are a permitted use. Dale, can I tell you a problem that I can see with that? If you have a business like let's say Wheeler Machinery and they have a small parking lot that is there, and now they expand and they move their parking lot all the way to the back and we've already approved it to build only this particular fence, then it's pretty hard for us to go back and say oh wait a minute here. You've made your parking lot all the way to the back now you have to correct this fence, so it's easier if we just say, adjacent to your property line is where it needs to be done. Then we don't have that problem. Andrew, well yah but is that so much that you're going to chase away business? Craig, I should hope not, it's done elsewhere. Dale, I'm a little concerned that we're letting our commercial run our residential. As much as I love commercial there is a place and time for it to fence it. Andrew, I'm not talking about no fence what so ever, I'm just saying there is a difference between a masonry fence – Dale, but there again, think of your commercial zone and what is allowed in a commercial zone. Andrew, lets say they are expanding their parking lot, wouldn't they have to permit for that and if they permit for that wouldn't they have to fit what the ordinance says? Craig, yes. Wheelers is a good example, they expanded their yard. Andrew, yah but Wheelers is a place that you could access on all sides. Craig, but they moved the approach to Sprinkler Pond Subdivision so we made a deal with them and they are aware of the fence, the solid fence requirement. But right now there is enough Russian Olives in there until that zone that is residential starts to develop they don't have to. They have signed a document that they will. Cresta, I remember that, they said if you told them to they would. Craig, so we can work with them, but we need to protect the residential and well as the agricultural. Dale, and I know fences is a soar subject, we've been fighting over this and trying to come up with a fair and equal playing field, but I've sat it many public meeting with this and I can see their point. I understand we don't want to run development away; we're always going to have development. For me if I was to by property by Halliburton, that was a big soar issue with all the residents in there, even though they were in an industrial park, Halliburton came in and they put in a sound barrier and they put in a berm and it's a big berm and the residents around there don't mind it. The residents really can have a say. That's why we're here, is to hear from them and decide what we can do to help provide harmony with them as well. That's why we have to make the commercial a little more understanding that you are adjacent. Andrew, so is there any problem we have with what it is that's written? I mean with the changes that were made. Craig, we took it and passed it by the Attorney, he has no problems. Andrew, what would have to be done to put agricultural in there too? Craig, you probably heard me say it's to protect agricultural and well as residential. We learned

that from Sunstone Subdivision. I'll bring that in for the next meeting for your first review then we can call a public hearing if that goes well.

**Motion to to Approve**

Andrew; I make a motion that we approve changes to the land use ordinance, chapters 02-15 02-26 and 02-28.

Neil, I'll second.

Dale, we have a motion and a second, all in favor?

<b>Neil Cathey</b>	<b>Aye</b>
<b>Szeth Simmons</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>
<b>Cresta Slaugh</b>	<b>Aye</b>

Any opposed? Motion carries with all voting Aye.

Any other items for further discussion? Craig, for next meeting I have guest homes. I'm getting property owners that want to build a facility for their daughter, grandmother. Dale, we went through this so many years ago. Craig, but I hope this one will work well for you. On the back is our original ordinance, 02-02-074 of the definition. This big one is the new definition. Your decision is rather you want to put it in the R-1 and R-2 zone. My recommendation is at least put it in an agricultural one RA-1 and RA-2. Andrew, those are a lot bigger lots. Cresta, so they are wanting like a mother-in-law suite. Craig, that's what it is. Andrew, so does that make any stipulations as far as throwing it in the basement as long as it's a relative? Craig, this is a separate building. The intent on putting in a guest home is it's not to be rented, it's not to be leased, when it's sold it's sold with the main dwelling and not separate unless it's divided up on its own separate parcel.

**Motion to to Adjourn**

Neil, I'll move that we adjourn.

Andrew, second.

Dale, a motion to adjourn, all in favor?

<b>Neil Cathey</b>	<b>Aye</b>
<b>Szeth Simmons</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>
<b>Cresta Slaugh</b>	<b>Aye</b>

Motion carries with all voting Aye.

**The next Planning and Zoning meeting is scheduled for September 9, 2014 @ 7:30 P.M.**